

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 8, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. ROY T. SHERROD, Westminister Presbyterian Church, 3208 Exposition.

Councilman White moved that the Minutes of the Meeting of November 1, 1956 be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

MR. JOHN POWELL, Vice President, Chamber of Commerce, and MR. GEORGE SEAGERT, appeared before the Council regarding the establishing of rates for the Auditorium, in order that they may start booking the conventions two or three years in advance. The Mayor asked that they bring in a list of those requests, and the Council would go into them at 4:00 P.M. this date and set a tentative schedule for the particular conventions, but the Council would have to make a study of the rates. The matter was deferred until 4:00 P.M.

MR. T. N. GRIFFIN, 3703 Munson Avenue, inquired about fire protection in the Govalle area, particularly on Munson. The City Manager stated this was a matter of construction of large line, which had begun but had not yet reached Munson; and that within a few months, the line should be in that would be adequate to furnish water to the fire plugs.

The Council had before it the appeal from the Planning Commission's decision, denying KENNETH GORBET a special permit to construct an office with truck parking facilities for a plumbing shop without warehouse facilities (Lawn Sprinkler Service) on West 35th Street and Glenview Avenue. The Council had made an investigation of the area. Councilman Palmer moved that the Special Permit be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Council had before it the following zoning application deferred from last week:

MRS. MARY MADELEY	711 West 14th Street	From "B" Residence To "O" Office RECOMMENDED by the Planning Commission
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Councilman Long moved that the change be granted to "O" Office District. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

The Council had before it the following zoning application deferred from last week:

SIDNEY F. WRIGHT & N. J. RABENSBURG	1903-07 & 2201 North Lamar Blvd.; 1306-08 & 1309-11 West 22nd St.	From "BB" Residence To "O" Office NOT Recommended by the Planning Commission
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The Attorney for Mr. Coleman, recent purchaser of part of the property, was present. He stated they received notice from the Plan Commission of this hearing, after the hearing was over. The notice had been sent to Mr. Wright, former owner; and he had changed address and the notice was late in reaching him. After quite a bit of discussion, Councilman Long moved that the application be referred back to the Planning Commission in order that the applicants would feel that they had had a fair hearing. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Council had before it the following zoning application deferred from last week:

W. ELLIOTT McVEY	902 E. 49th Street	From "A" Residence
	4901-4903 Airport Blvd.	To "GR" General Retail

MR. HERBERT SMARTT represented Mr. McVEY, and MR. GIBSON RANDLE represented Mr. Smothers, a property owner in Harmon Terrace, opposing the change. The Council postponed action until it made another personal inspection of the area.

DR. HARRY A. MARKO, 306 East 14th Street, appeared before the Council regarding his inability to get in and out of his garage. The Austin Parcel Delivery Company had just moved in and had a 24-hour service, and parked their cars in the alley, to where Dr. Marko could not get his car out of his garage. The matter was referred to the City Manager to help Dr. Marko in his problem.

The City Manager submitted the following:

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, November 6, 1956, for the construction of Voluntary Paving Contract No. 56-V-17, Units 1 through 11.

"Travis Construction Co.	\$49,646.47
Giesen & Latson Construction Co.	49,826.23
McKown & Sons	52,028.20
Raymond Canion & Co.	53,545.30
Collins Construction Co.	57,601.17
City's Estimate	52,950.40

"I recommend that Travis Construction Company with their low bid of \$49,646.47 be awarded the contract for this project."

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 6, 1956, for the construction of Voluntary Paving Contract No. 56-V-17, Units 1 through 11; and,

WHEREAS, the bid of Travis Construction in the sum of \$49,646.47 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Travis Construction Company in the sum of \$49,646.47 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Travis Construction Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 26, 1956, for two (2) line truck bodies; and,

WHEREAS, the bid of Priester Supply Company in the sum of \$6136.88 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Priester Supply Company in the sum of \$6136.88 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Priester Supply Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 31, 1956, for the purchase of a Heavy Duty Back Hoe and Front End Loader to be used by the Electric Distribution Division of the City of Austin; and,

WHEREAS, the bid of A. J. Maloney Company in the sum of \$6,680.00 was the lowest and best bid therefor, and the acceptance of such bid and the purchase of one Heavy Duty Back Hoe and Front End Loader has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of A. J. Maloney Company in the sum of \$6,680.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with A. J. Maloney Company.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN

ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING:

1. LOTS 11, 12, 13, 14 AND A PART OF LOT 4, BLOCK 1, FELLMAN HEIGHTS, FROM "B" RESIDENCE DISTRICT AND FIRST AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST AND FIFTH HEIGHT AND AREA DISTRICT.
2. A TRACT OF LAND CONTAINING 0.63 ACRES OF LAND, LOCALLY KNOWN AS 4004-4016 SOUTH CONGRESS AVENUE AND 100-112 ORTIZ STREET, FROM "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT.
3. THE EAST 41 FEET OF LOT 16, M. A. HARRELL RESUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL AND FIRST HEIGHT AND AREA DISTRICT.
4. LOTS 5 AND 6, OUTLOT 76, DIVISION "D", NORTH END ADDITION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT.
5. SOUTH 90 FEET OF LOT 1, G. C. PROCK SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT.
6. A TRACT OF LAND CONTAINING 15.8 ACRES, LOCALLY KNOWN AS 5325-5531 AIRPORT BOULEVARD; 800-824 EAST 53-1/2 STREET AND 5310-5506 HELEN STREET, SAME BEING ALL OF LOTS 1 AND 2, MRS. LOU HILL SUBDIVISION, FROM "A" RESIDENCE AND "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT. SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, October 30, 1956, for the construction of improvements to White Rock Drive, Bullard Drive, Treadwell Boulevard, Hunt Trail and other adjacent streets in the vicinity of Gullette School - Contract 56-C-16.

"C. H. Lester	\$15,411.24
Pat Canion	16,596.72
Giesen & Latson Const. Co.	16,596.72
Collins Const. Co.	16,893.09
Travis Const. Co.	18,641.67
City's Estimate	\$22,227.75

"I recommend that C. H. Lester with his low bid of \$15,411.24 be awarded the contract for this project."

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on October 30, 1956, the City of Austin received bids for the construction of improvements to White Rock Drive, Bullard Drive, Treadwell Boulevard, Hunt Trail and other adjacent streets in the vicinity of Gullette School -- Contract 56-C-16; and,

WHEREAS, the bid of C.H. Lester in the sum of \$15,411.24 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of C.H. Lester in the sum of \$15,411.24 be and the same is hereby accepted, and W.T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with C.H. Lester.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White moved that the Council hold its regular meeting on WEDNESDAY, November 28, instead of Thursday the 29th which is THANKSGIVING. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The Mayor announced that COUNCILMAN LONG was observing her eighth anniversary on serving on the Council.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain public utility easements were reserved and dedicated to the public along certain lot lines in Block I of Barton Hills, Section 1, a Subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills, Section 1, of record in Book 7, at page 106, Plat Records of Travis County, Texas; and,

WHEREAS, Lots 1 and 2 have been resubdivided by relocating the dividing line northwesterly and the owner of the hereinafter described premises has requested that said public utility easements located thereon be released; and,

WHEREAS, the hereinafter described easements are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the public utility easements located on the hereinafter described premises:

(1) The East five (5) feet of Lot 2, Block I of said Barton Hills, Section 1, save and except the North ten (10) feet of the last five (5) feet of said Lot 2;

(2) The West five (5) feet of Lot 1, Block I of said Barton Hills, Section 1, save and except the North sixteen (16) feet of the West five (5) feet of said Lot 1.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A CERTAIN PORTION OF WESTERN HILLS DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING A PUBLIC UTILITIES EASEMENT; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, is hereby authorized and directed to enter into contracts on behalf of the City of Austin with Travis County Water Control and Improvement District No. 8 providing for the sale and delivery of water by the City of Austin to the District, for the management of the affairs of said District, and for the performance of the City of various services for the District.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Discussion was held on the Lohman Wreck, occurring at 5:20 A.M., October 21st. The Mayor asked that a report be made, and that a recommendation be made.

The Council recessed until 3:00 P.M.

Recessed Meeting

3:00 P.M.

At 3:00 P.M., the Council met with members of the Board of Adjustment, MRS. FRANCIS R. HODGE, MR. ART WILKE, and MR. DAVE SHIPWASH, on clarification of policy. After discussion, the Mayor stated anytime there was a question, to contact the City Manager, and the Mayor would call the Council.

The Council discussed with MR. JOHN POWELL, MR. GEORGE SEAGERT, and MR. MATHIAS the matter of setting rates for the Auditorium. Rates from different cities were studied. After much discussion, the Mayor suggested that the Managers of the Auditoriums in Houston and Fort Worth be invited to come up and meet with the Council and Committees from the Senior and Junior Chambers of Commerce within the next two weeks. The Mayor again told the group from the Chamber of Commerce, that if they had a convention scheduled the Council would set up a tentative rate.

Councilman White moved that the appeal of the banks in the City of Austin on the valuation of the capital stock be fixed as follows:

American National Bank	
Stock less Real Estate	\$1,322,270
Real Estate	\$1,068,360
Austin National Bank	
Stock less Real Estate	\$1,201,460
Real Estate	\$ 905,440
Capital National Bank	
Stock less Real Estate	\$1,660,580
Real Estate	\$1,183,900
Texas State Bank	
Stock less Real Estate	\$ 149,390
Real Estate	\$ 85,340
City National Bank	
Stock less Real Estate	\$ 490,770

The motion, seconded by Councilman Pearson, carried by the following vote:


Ayes: Councilmen Long, Palmer, Pearson, White

Noes: None

Present but not voting: Mayor Miller

There being no further business the Council adjourned at 5:45 P.M. subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk